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OFFICE OF PETITIONS

In re Patent of	:
Shimase, et al.	:
Patent No. 7,027,935	:
Issue Date: April 11, 2006	:
Application No. 10/634,775	:
Filing Date: August 6, 2003	:
Attorney Docket No. KAS-189	:

Decision on Petition

This is a decision on the petition under 37 CFR § 1.183, filed May 19, 2006, to waive the rules and accept the correction of the assignee data on the front page of the above-identified patent. The petition is also being treated as a request under 37 CFR 3.81 to accept the correction of the assignee data.

The petition under 37 CFR 1.183 is **dismissed as moot**.

The request under 37 CFR 3.81 is **dismissed**.

Effective June 25, 2004, 37 CFR 3.81(b) has been revised to no longer require the correction of the assignee data prior to issuance of the patent. Therefore, a petition to waive the rule is unnecessary. 37 CFR 3.81(b) currently states:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

While petitioners have submitted a \$130.00 processing fee (petitioners called it a petition fee) and a request for a Certificate of Correction along with the required \$100.00 fee, it appears that the mistake regarding the assignee's name is typographical in nature. As such, the \$130.00 fee will be refunded to petitioners' credit card and the application will be forwarded to Certificate of Correction division to take appropriate action on the Certificate of Correction request.

The file is being forwarded to Certificate of Correction division.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

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